

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ALAN CHRISTOPHER LITTLE,)	
)	
Petitioner,)	
)	
v.)	Civil Action No.
)	18-12218-FDS
STEPHEN SPAULDING, et al.,)	
)	
Respondents.)	
)	

ORDER OF DISMISSAL

SAYLOR, J.

For the reasons stated below, this action will be dismissed without prejudice.

On October 24, 2018, Alan Christopher Little, an inmate in custody at FMC Devens, filed a self-prepared petition for a writ of habeas corpus under 28 U.S.C. § 2241. At that time, the action was assigned pursuant to the Court's Program for Random Assignment of Civil Cases to Magistrate Judges.

On November 15, 2018, Little was ordered to either pay the \$5 filing fee or file a fee-waiver application. The order stated that failure of petitioner to comply may result in the dismissal of this action without prejudice.

To date, Little has not responded to the court's order, and the time to do so has expired. The court has the authority to dismiss an action *sua sponte* for a party's failure to prosecute his action and failure to follow court orders. Fed. R. Civ. P. 41(b). Here, dismissal is appropriate because without petitioner's active participation, the court cannot effect the advancement of the case to a resolution on the merits.

Accordingly, for the failure to comply with the November 15, 2018 Procedural Order,
this action is hereby DISMISSED without prejudice.

So Ordered.

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
United States District Judge

Dated: January 2, 2019